

REMARKS/ARGUMENTS

Claims 219-223, 228, 232, 236, 238-242, 251, 257, 259, 260 and 262-267 are in the application, of which Claim 219 is the independent claim. Claims 1-218, 224-227, 229-231, 233-235, 237, 243-250, 252-256, 258, and 261 were previously canceled. Claims 219, 241, 257, and 267 are amended herein. No claims are newly added or canceled herein. No new matter is believed to have been introduced to the application by this paper. Entry hereof and early passage to issue are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication that Claims 228, 232, 238, 254, 255, 257, and 259 contain allowable subject matter and would be allowable if written in independent form.

Claim Rejections

In the Office Action, Claims 219- 223, 236, 239-242, 251, 260, 263, 265, and 266 are rejected under 35 USC §102(e) as being anticipated by Sugaya et al. (U.S. Patent 6,538,210, hereinafter “Sugaya”). **Claim 264** is rejected under 35 U.S.C. §103(a) as being unpatentable over Sugaya in combination with Neugebauer et al. (U.S. Patent 5,297,066, hereinafter “Neugebauer”). **Claim 262** is rejected under 35 U.S.C. §103(a) as being unpatentable over Sugaya in combination with Fiagello et al. (U.S. Patent 4,840,923, “Fiagello”). **Claim 267** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugaya in combination with Matsuo et al. (U.S. Patent 6,504,227, hereinafter “Matsuo”). Reconsideration and withdrawal of these rejections are respectfully requested.

Claim 219 is directed to a chip package. The chip package includes a substrate and only one die having a top surface at a first horizontal level higher than a second horizontal level of a top surface of said substrate, wherein said substrate has no portion at said first horizontal level. The chip package further includes an adhesive material joining said top surface of said substrate and a bottom surface of said only one die. The chip package further includes a first insulating layer over said first horizontal level, said only one die and said substrate and across an edge of

said only one die, wherein said first insulating layer comprises a first portion vertically over said only one die and a second portion not vertically over said only one die, wherein said first insulating layer is not integrated with said adhesive material. The chip package further includes a patterned circuit layer over said first insulating layer, said first horizontal level, said only one die and said substrate and across the edge, wherein said patterned circuit layer is connected to said only one die through a first opening in said first insulating layer. The chip package further includes a passive device over said first horizontal level and said first insulating layer, wherein said passive device comprises an inductor, and a second insulating layer over said passive device.

The applied reference, Sugaya, is not seen to disclose or suggest the features of independent Claim 219.

The Office Action includes the statement that “forming no portion of the substrate at the first horizontal level merely amounts to a change in shape. Applicant has not disclosed that its selected dimensions are critical or for an unobvious reason. As such, the selected dimensions would have been obvious to one of ordinary skill in the art, since it has been held that where the only difference between the prior art and the claims was a recitation of relative dimensions of the claimed device and a device having the claimed relative dimensions would not perform differently than the prior art device, the claimed device was not patently distinct from the prior art device.” See the Office Action, p. 4, line 14 through p. 5, line 4.

Applicants respectfully disagree and submit that the Office Action fails to cite any reference supporting the above assertion. “Assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art.” *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21 as referenced in MPEP §2144.03. “[T]he Board cannot simply reach conclusions based on its own understanding or experience—or on its assessment of what would be basic knowledge or common sense. Rather, the Board must point to some concrete evidence in the record in support of these findings.” *Zurko*, 258 F.3d at 1385, 59 USPQ2d at 1697. If the Examiner is relying on personal knowledge to support the finding of what is known in the art, Applicants respectfully request that the Examiner provide an affidavit setting forth specific factual statements and explanation to support the finding. “When a rejection in an application is based on

facts within the personal knowledge of an employee of the Office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the affidavit of such employee.” 37 CFR 1.104(d)(2), and MPEP § 2144.03.

None of the applied references teach that a die would have a top surface at a first horizontal level higher than a second horizontal level of a top surface of a substrate joining the die using an adhesive material. Accordingly, Sugaya’s bare semiconductor chip 1301, asserted by the Office Action to be the claimed only one die, would not be considered to be provided having a top surface at a first horizontal level higher than a second horizontal level of a top surface of Sugaya’s uncured first mixture 1311, asserted by the Office Action to be the claimed substrate. *See* Sugaya, Fig. 14.

The Office Action further includes the statement that the claimed adhesive material is equivalent to the lower portion of Sugaya’s second mixture 406 close to Sugaya’s uncured first mixture 1311, and that the claimed first insulating layer is equivalent to the portion of Sugaya’s second mixture 406 over Sugaya’s bare semiconductor chip 1301. *See* the Office Action, p. 2, lines 21-24.

Applicants submit that the lower portion of Sugaya’s second mixture 406 close to Sugaya’s uncured first mixture 1311 is taught to be integrated with the portion of Sugaya’s second mixture 406 over Sugaya’s bare semiconductor chip 1301. *See* Sugaya, Figs. 4A and 14. However, the lower portion of Sugaya’s second mixture 406 close to Sugaya’s uncured first mixture 1311 is not taught to be not integrated with the portion of Sugaya’s second mixture 406 over Sugaya’s bare semiconductor chip 1301. Accordingly, the subject matter that “said first insulating layer is not integrated with said adhesive material” is not believed to be anticipated by Sugaya. The other references are not seen to remedy this deficiency of Sugaya.

Accordingly, the amended independent Claim 219 is believed to be allowable, and reconsideration and withdrawal of the rejections of Claim 219 are respectfully requested.

The other claims currently under consideration in the application are dependent from independent Claim 219 discussed above and therefore are believed to be allowable over the applied references for at least similar reasons. Because each dependent claim is deemed to define

an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

The absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be other reasons for patentability of any or all claims that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation.

CONCLUSION

In view of the Amendments and Remarks herein, Applicants submit that the application is in condition for allowance and respectfully request a notice to this effect. Should the Examiner have any questions, please contact the undersigned at the phone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,
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